Application Number	Application/Co		Applicant(s)/Patent (Reexamination MOELLER ET AL.	under			
Document Code - DISQ		Internal Do	ocument – DC	cument – DO NOT MAIL			
TERMINAL DISCLAIMER	☑ APPROV	ED	☐ DISAPP	☐ DISAPPROVED			
Date Filed : January 04, 2006	to a Te	t is subject erminal aimer					
Approved/Disapproved b	y:	· · · · · · · · · · · · · · · · · · ·					
Henry D. Jefferson							

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			19-Jan-06	APPL. S. N:	10618635						
To Exam	iner:		FAULK, DEVONA	Art Unit	2644						
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68						
SUBJEC	T: Decision	on on Tern	ninal Disclaimer(T.D.) filed:								
form par or have a	agraphs i any quest	dentified l ions, plea	by this informal memo in your ne se see me or the Special Prograr	e results as set forth below. If you ext Office action to notify applicant n Examiner. THIS IS AN INFORMAL OF RECORD IN THE APPLICATION	of the T.D. If you disagree ., INTERNAL MEMO ONLY.						
please in	itial, date	and retu	rn this memo to me. THANK YOU	J.							
Image: Control of the	The T.D.	is PROPE	R and has been recorded (see 14	1.23).							
	The T.D.	is NOT PI	ROPER and has not been accepte	d for the reason(s) checked below	(see 14.24):						
		The TD fo	ee of has not been subr	mitted nor is there any authorizatio	n in the application file for the						
		his/her in		t the person who has signed the T.I interest of the business entity repr .26.01).							
			lacks the enforceable only during atenting rejection, Rule 321(b) (g common ownership clause – need see 14.27.01).	ded to overcome a non-statutory						
				directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal ne term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person who signed the T.D.:									
			is not an attorney "of record" (s	ee 14.29 and 14.29.01).							
			has failed to state his/her capac	ity to sign for the business entity (see 14.28).						
			is not recognized as an officer o	f the assignee (see 14.29 & possibl	e 14.29.02).						
		No documentary evidence of a chain of title from the original inventor(s) to assignee has bee nor is the reel and frame number specified as to where such evidence is recorded in the Offic (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying frame number may be found in the T.D. or in a separate paper of record in the application (see									
The T.I			ne T.D. is not signed (see 14.26 & 14.26.03).								
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).									
		The perio	od disclaimed is incorrect or not s	specified (see 14.26, 14.27.02 or 1	4.26.03).						
		Other:			E V						
			on to request refund (see 14.36) ot check this item.	. NOTE: If already authorized, cred	lit refund to deposit account						
I have a	ppropriate	ely notifie	d applicant(s) of the status of the	e Terminal Disclaimer filed in this ca	ase.						
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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional) 23390-000120/US

In re Application of: Klaus R. MOELLER

Application No. 10/618,635

Filed: July 15, 2003

For NETWORKED SOUND MAKSING SYSTEM WITH CENTRALIZED SOUND MASKING GENERATION

The owner, 777386 ONTARIO LIMITED, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/646.734, filed on August 25, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the Instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. 🛛 The undersigned is an attorney of record. Reg. No. 35,416

January 4, 2006

Date

Gary D. Yacura

anature

Typed or printed name

703-668-8000 Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/98 may be used for making this certification. See MPEP § 324.

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tn re Application of: Klaus R. MOELLER

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Filed: July 15, 2003

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. 🔲 For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. 🔯 The undersigned is an attorney of record. Reg. No. 35,416

January 4, 2006

Date

Gary D. Yacura

gnature 🚄

Typed or printed name

703-668-8000

Telephone Number

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